

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Phillip D. Purdy

Serial No.: Unknown

Filed: Unknown

For: INTRAVASCULAR DEVICE

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSD:533USR1/MTG

EXPRESS MAIL MAILING LABEL
NUMBER EL564338925US
DATE OF DEPOSIT July 19, 2001

REISSUE DECLARATION AND POWER OF ATTORNEY

Phillip D. Purdy, as below named inventor, hereby declares as follows:

1. I am a citizen of the United States of America.
2. I verily believe that I am the original, first and sole inventor of the invention entitled "INTRAVASCULAR DEVICE", described and claimed in United States Patent No. 5,925,062, issued July 20, 1999, and for which a reissue patent is sought, the specification of which is attached hereto.
3. I have reviewed and understand the contents of the specification, including the claims, as set forth in the present reissue application.
4. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with 37 C.F.R. 1.56.
5. I verily believe that original Patent No. 5,925,062 is wholly or partly inoperative or invalid by reason of my claiming less than I had the right to claim in the patent. The error relied upon is the failure to include claims similar to claims 1, 12, and 16 but without the word

“detachably” in those claims. I believe that the word “detachably” in claims 1, 12 and 16 is unnecessary to patentability and is unnecessarily limiting.

6. I believe that I am entitled to claims that are similar to claims 1, 12 and 16 but that do not contain the word “detachably”. Such claims have been presented in the reissue application by way of the attached preliminary amendment as claims 22, 29 and 34.

7. I also believe that I am entitled to claims 23-28 which depend upon claim 22; claims 30-33 which depend upon claim 29; and claims 35-40, which depend upon claim 34; all of which have been presented in the reissue application by way of the attached preliminary amendment.

8. I also believe that I am entitled to claim 41, which is an independent claim to a method of producing occlusion of a vessel and is supported by the specification and drawings, and which is presented in the reissue application by way of the attached preliminary amendment.

9. All errors which are being corrected in the present reissue application up to the time of filing of the declaration arose without any deceptive intention on my part.

10. I hereby appoint:

Louis T. Pirkey, Reg. No. 22,393; David D. Bahler, Reg. No. 30,932; David L. Parker, Reg. No. 32,165; Richard J. Groos, Reg. No. 32,231; Stephen D. Dellett, Reg. No. 32,564; William G. Barber, Reg. No. 33,154; Michael S. Metteauer, Reg. No. 34,875; Mark B. Wilson, Reg. No. 37,259; Daniel J. Brennan, Reg. No. 37,287; Steven L. Highlander, Reg. No. 37,642; John J. Bruckner, Reg. No. 35,816; Erik R. Nordstrom, Reg. No. 39,792; Teresa J. Schultz, Reg. No. 40,526; Stephen P. Meleen, Reg. No. 40,724; Robert E. Hanson, Reg. No. 42,628; Michael C. Barrett, Reg. No. 44,523; Mark T. Garrett, Reg. No. 44,699; Gina N. Shishima, Reg. No. 45,104; and Matthew Bellinger, Reg. No. 46,547;

each an attorney or agent with the law firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent so long as they remain with such law firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a

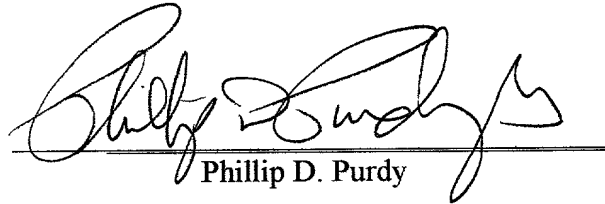
certificate of correction that may be deemed appropriate. Please direct all communications as follows:

Mark T. Garrett, Esq.
FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512)474-5201

11. I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true, and further that statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7-13-01

Date



Phillip D. Purdy

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